IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION No. 51 OF 2006
IN
COMPANY PETITION No. 723 OF 1992

Stellar Electronics Co.
Pvt. Ltd. APPLICANT

Vs.

Tata Exports Ltd. RESPONDENT

Ms. Sheela Chhabria i/b Pankaj Shah.
for applicant.

Mr. Aditya Khandeparkar for respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : MARCH 18, 2006.

P.C. :

1. Heard the learned advocate appearing for the applicant and the respondent.

2 Perused the application and the affidavit in support thereof.

3. In my view sufficient cause is made out for not appearing on the date of winding up of petition, by the applicant / original respondent. The advocate for the applicant was not well on 25-11-2005 as he had recently

undergone Hernioplasty operation and had suddenly developed pelvic pain. He was advised by his doctor to rest at home till the pain subsided, and therefore, he could not remain present. In these circumstances, the exparte order of winding up passed in the petition, is set aside. Company petition is restored to file.

4. The applicant to pay costs of this application quantified at Rs. 1500. Costs to be paid to the Maharashtra Legal Services Authority. The title of the petition will now stand modified as Tata International Limited Vs. Steller Electronics Company Pvt. Limited. No objection will be raised by the applicant hereinafter on the ground that this name is not appearing on Board. It may not show the name Tata International Limited.

5. Company application is allowed in terms of prayer Clause (a).

(S.C. DHARMADHIKARI,J.)